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9 DISH Network Corporation, et al.

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12 IN THE UNITED STATES DISTRICT COURT
13 CENTRAL DISTRICT OF CALIFORNIA, SOUTHERN DIVISION
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15 ENTROPIC COMMUNICATIONS,
16 LLC,

17 Plaintiff,

18 v.

19 DISH NETWORK CORPORATION;
20 DISH NETWORK L.L.C.; DISH
21 NETWORK SERVICE, L.L.C.; AND
22 DISH NETWORK CALIFORNIA
SERVICE CORPORATION,

23 Defendants.

24 Case No. 2:23-cv-1043-JWH-KES

25 **JOINT STIPULATION TO
CONTINUE HEARING DATE FOR
DEFENDANTS DISH NETWORK
CORPORATION; DISH NETWORK
L.L.C.; AND DISH NETWORK
SERVICE, L.L.C.'S MOTION TO
DISMISS FOR IMPROPER VENUE
UNDER 12(b)(3) [DKT. NO. 49]**

26 District Judge: Hon. John W. Holcomb
Magistrate Judge: Hon. Karen E. Scott

27 Current Hearing Date: October 6, 2023

28 Proposed Hearing Date: October 10, 2023
or October 24, 2023

1 Plaintiff Entropic Communications, LLC (“Plaintiff”) on the one hand and
2 Defendants DISH Network Corporation, DISH Network, L.L.C., Dish Network
3 Service, L.L.C. and Dish Network California Service Corporation (collectively,
4 “Defendants” and “DISH”) on the other hand (collectively, the “Parties”), by and
5 through their respective counsel, enter into this Joint Stipulation:

6 WHEREAS, Defendants DISH Network Corporation, DISH Network L.L.C.,
7 and Dish Network Service L.L.C. (collectively, “DISH Colorado”) filed a Motion to
8 Dismiss for Improper Venue (the “Motion”) on May 8, 2023 [ECF No. 49];

9 WHEREAS, the Motion asserts that Entropic has not met its evidentiary burden
10 to show that the Central District of California is a proper venue for this action as to
11 DISH Colorado;

12 WHEREAS, on May 12, 2023, the Parties filed a Joint Stipulation [ECF No.
13 51] to allow Entropic to conduct venue discovery in order to adequately respond to
14 the Motion’s arguments; particularly to investigate whether DISH Colorado has a
15 regular and established place of business in the Central District of California and
16 therefore whether venue in this District is proper under 28 U.S.C. § 1400(b);

17 WHEREAS, the Court granted the Joint Stipulation on May 16, 2023 [ECF No.
18 56];

19 WHEREAS, the Parties have completed venue discovery related to the
20 arguments presented in DISH Colorado’s Motion;

21 WHEREAS, Plaintiff has filed its Opposition brief [ECF No. 98], and DISH
22 Colorado’s reply brief is due on September 22, 2023;

23 WHEREAS, the hearing on the DISH Colorado Motion is currently set for
24 October 6, 2023 at 9:00 am Pacific Time;

25 WHEREAS, DISH Colorado has a conflict on the Friday, October 6, 2023
26 hearing date;

1 WHEREAS, the Parties considered asking to move the hearing to a subsequent
2 Friday, either October 13, 2023, October 20, 2023, or October 27, 2023, but the
3 Parties have conflicts on those dates;

4 WHEREAS, the Parties have considered alternative (non-Friday) dates and are
5 both available on October 10, 2023 and October 24, 2023;

6 WHEREAS, the Parties are hereby jointly requesting a continuance of the
7 October 6, 2023 hearing date either to October 10, 2023 or October 24, 2023;

8 WHEREAS, the Parties are not requesting a continuance of the current briefing
9 schedule, which will remain unchanged;

10 NOW THEREFORE, the Parties, by and through their respective counsel,
11 hereby STIPULATE AND AGREE as follows:

12 1. The Parties respectfully request that the Court agree to continue the hearing
13 on the DISH Colorado Motion from October 6, 2023 to either October 10, 2023 or
14 October 24, 2023.

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1 Dated: September 21, 2023

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2 By: /s/ Christopher S. Marchese

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ECF ATTESTATION

I, Christopher S. Marchese, am the ECF User whose identification and password are being used to electronically file this Joint Stipulation. In accordance with Local Rule 5-4.3.4, concurrence in and authorization of the filing of this document has been obtained from the counsel of Plaintiff Entropic Communications, LLC will maintain records to support this concurrence for subsequent production for the Court if so ordered or for inspection upon request by a party.

/s/ Christopher S. Marchese
Christopher S. Marchese